

Amendments to the Drawings

In FIGS. 4-6, $YP\phi$ is changed to YP_0 .

Attachments: Replacement Sheet

Annotated Sheet

REMARKS

Claims 1-22 and 24-28 are pending in the application. Claims 1 and 3 are amended herein. Claims 10-38 were previously withdrawn from further consideration. By this amendment, claims 10-38 are canceled. Claims 1-9 remain for consideration.

Election Restrictions

The Examiner withdraws claims 10-28. The Examiner states that:

Claims 10-28 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention or species, there being no allowable generic or linking claim. Election was made without traverse in the reply filed on 28 October 2005.

Applicant acknowledges the withdrawal of claims 10-28.

Claim Objections

The Examiner objects to claim 3. The Examiner states that:

Claim 3 is objected to because of the following informality:

In claim 3, line 12, "he" should be --the--.

Appropriate correction is required.

Applicant has amended Claim 3 per the Examiner's suggestion.

Claim Rejections

The Examiner rejects claim 1 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner states that:

In claim 1, the claim is rendered indefinite because: at steps (g) and (i) it is unclear whether the "attainable yield" is for the crop or the plot; at step (g) "said response index" should be --said nutrient response index--; at step (g) "said coefficient of variation" should be -- said reference coefficient of variation--; at step (h) it appears "said predicted crop yield" should be --said predicted plot yield-- since the "predicted yield" in step (f) was for the "plot"; and, in step (k) it appears the "applying" of nutrients should be to the --crop-- and not the "plot" as claimed.

Claim 1 is amended at steps (g), (i) and (j) to clarify that "attainable yield" refers to -- attainable plot yield--.

Step (g) is amended to clarify that "said coefficient of variation" refers to -- said reference coefficient of variation--, per the Examiner's recommendation.

Step (h) is amended to change "predicted crop yield" to -- predicted plot yield--.

Step (k) has not been amended per the Examiner's suggestion, as Applicant believes that "applying said amount of nutrient to said plot" is correct.

Claim Clarifications

In claim 1, Applicant has additionally amended step (a) to clarify that the step is --determining a maximum potential crop yield for a field--.

In claim 3, step (d)(i) is amended to eliminate the second occurrence of "with a". Additionally, in claim 3, step (d)(iv) is amended to correct the claimed equation, i.e., "dividing the difference of the reflectance determined in step (d)(ii)" should read --dividing the difference of the reflectance determined in step (d)(iii)-- and "minus the reflectance determined in step (d)(iii)" should read --minus the reflectance determined in step (d)(ii)--. The claim amendment serves to accord the claim language with the equation on line 14 of page 13.

Drawings

The Examiner objects to the drawings. The Examiner states that:

The drawings are objected to because: in claim Fig. 6 the direction of the arrows that accompany the "CV" text appear to be wrong and should point in the opposite directions according to the Specification at para. 0049. Also, in Fig. 6 the term " $YP\phi$ " should probably be " YP_0 " so as to conform with the Specification at para. 41.

In FIGS. 4-6, $YP\phi$ is changed to YP_0 .

Regarding FIG. 6, the Examiner states:

in ... FIG. 6 the direction of the arrows that accompany the "CV" text appear to be wrong and should point in the opposite directions according to the Specification at para. 0049.

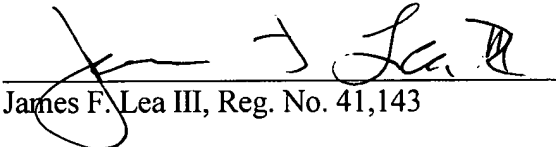
Applicant believes that the arrows of FIG. 6 are correct. Applicant refers the Examiner to the following sentences of [0049]: "When CV is low in a plot, YP_x will be higher. ... Alternatively, if CV in a plot is high then the obtainable yield is reduced."

Considering the foregoing, it is sincerely believed that this case is in condition for allowance, which is respectfully requested.

This paper is intended to constitute a complete response to the outstanding Office Action. Please contact the undersigned if it appears that a portion of this response is missing or if there remain any additional matters to resolve. If the Examiner feels that processing of the application can be expedited in any respect by a personal conference, please consider this an invitation to contact the undersigned by phone.

Respectfully submitted,

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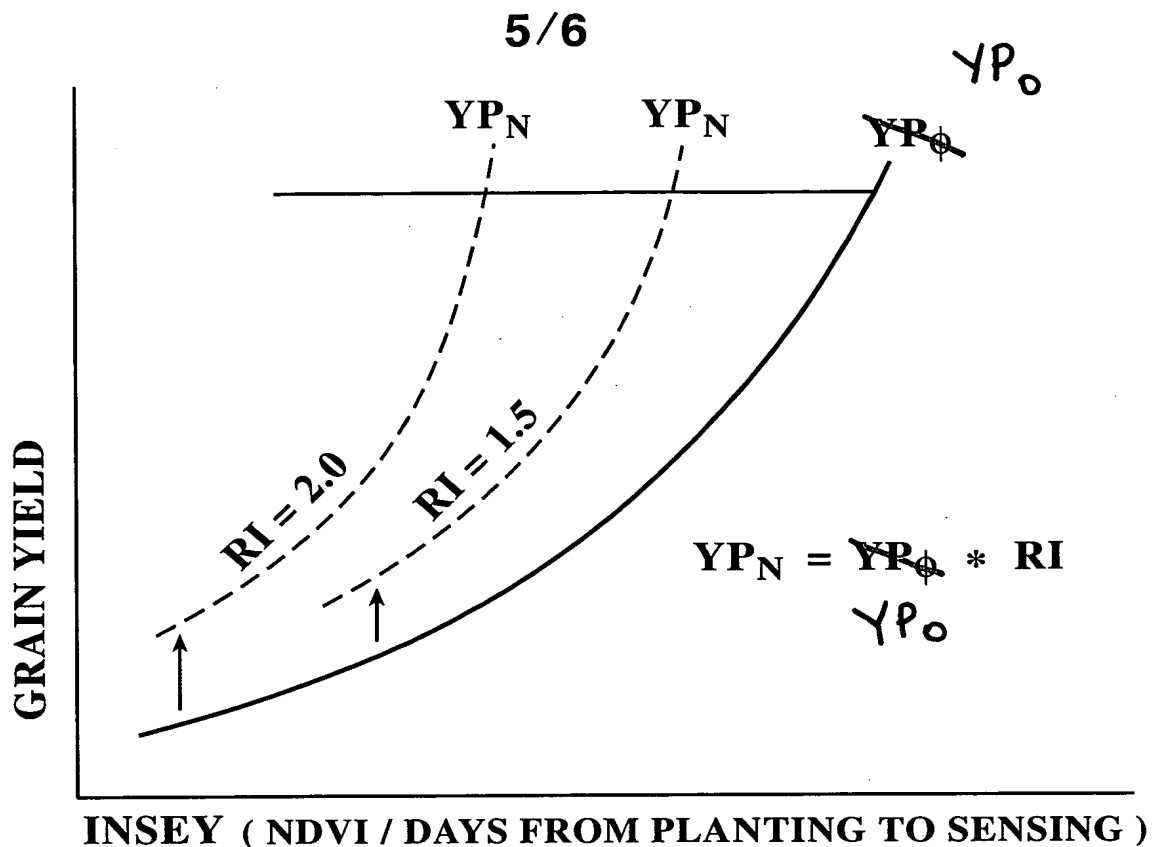


Fig. 4

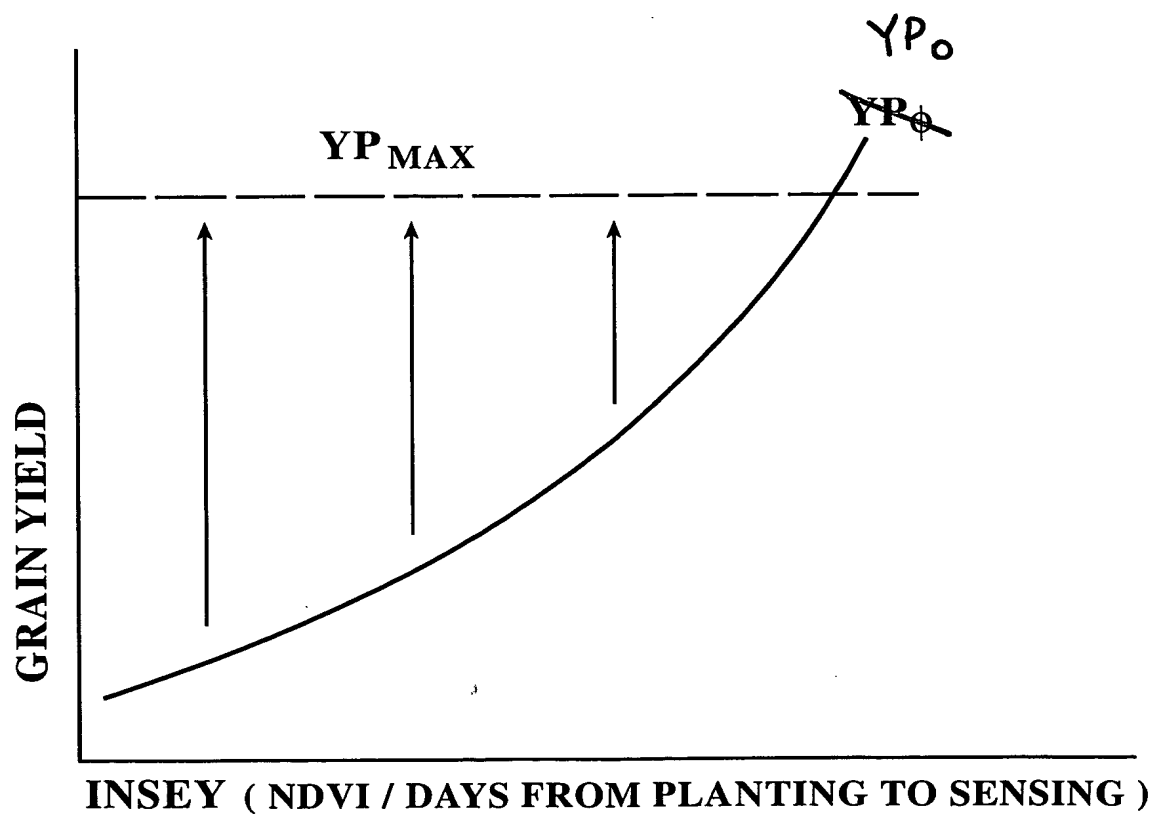


Fig. 5

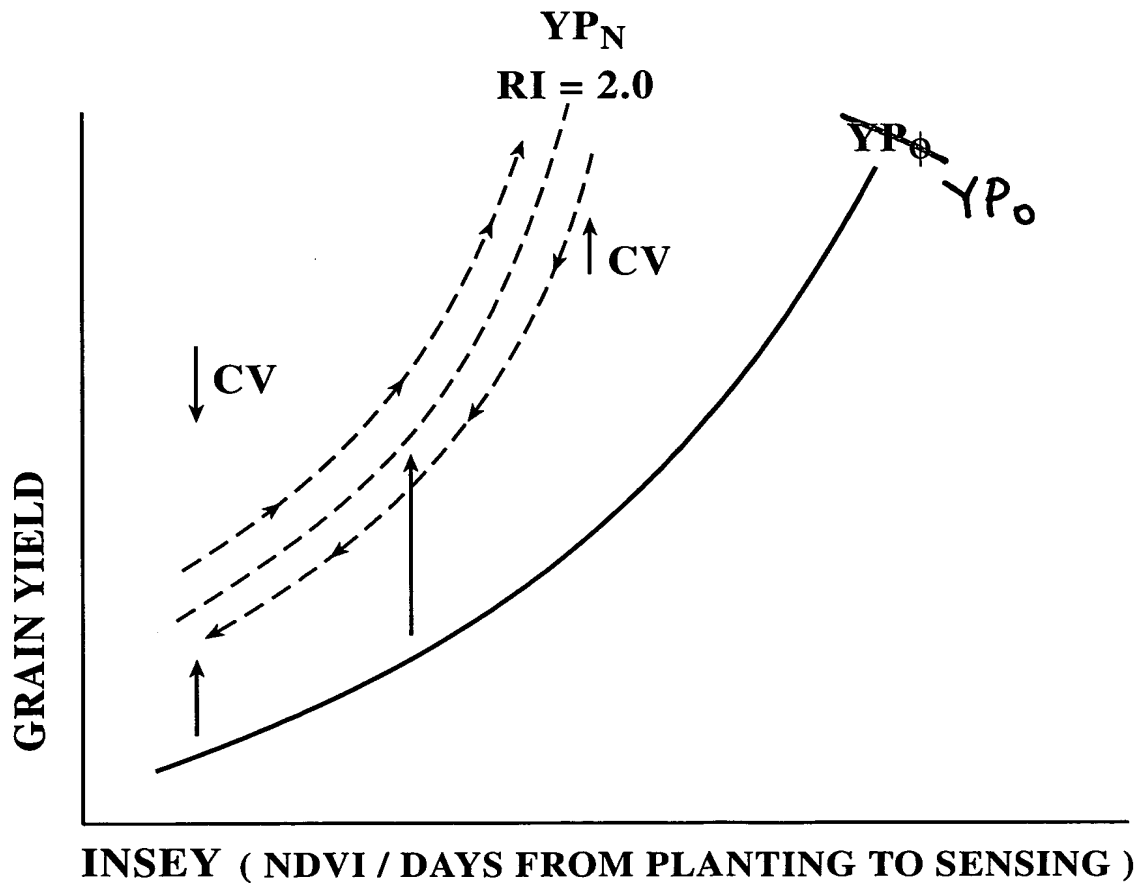


Fig. 6